

ELIAS Z. SHAMIEH (IND. SBN #14339-49)

Attorney at Law

Law Offices of Shamieh and Ternieden

703 Market Street, Suite 1700

San Francisco, CA 94103

Phone: (415)777-0700

Facsimile: (415)543-0891

Attorneys for Plaintiff

Tania Garcia-Lopez

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TANIA GARCIA-LOPEZ

Plaintiff,

v.

MICHAEL YATES, et al.

Defendant

) Civil Action No.: 309-CV-2592RS

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

EMERGENCY MOTION FOR A CONTINUANCE

Plaintiff respectfully requests that the Court continue the hearing scheduled for July 15,

2010 at 1:30 p.m. The attorney handling this case is unable to be present at the hearing on

Thursday as her daughter fell ill with the Chicken Pox on Monday, July 12, 2010 and she is the

Case No. 309-cv-2592RS

Emergency Motion for A Continuance

1 only caretaker for the child at this time. The attorney handling this case is the only person
2 competent to present arguments on behalf of plaintiff. If it were not for this emergency,
3 Plaintiff's counsel would be ready and willing to be present.
4

5 Counsel left a voice message for Attorney, Jonathon Wasden with the Office of
6 Immigration Litigation, who was handling this matter on Monday, July 13, 2010 but did not hear
7 back from Mr. Wasden. On July 14, 2010, Counsel left Jonathon Wasden another voice message
8 and also emailed him regarding this emergency and our need for a continuance. Counsel received
9 an out of office auto reply from Jonathon Wasden indicating that as of July 9, 2010 he was no
10 longer with the Department of Justice and to contact Stacy Young for assistance. Counsel then
11 emailed Stacy Young regarding the emergency and need for a continuance. Ms. Young kindly
12 returned counsel's call but apologetically indicated that she would oppose a continuance as she
13 had already purchased airfare and had arranged a vacation. Ms. Young did try to accommodate
14 Plaintiff's Counsel by agreeing to a different hearing time on July 15th or a continuance to
15 Friday, July 16th, if agreeable with the Court's schedule, but neither of these options would
16 allow for Counsel to be present in court.
17

18 This motion is not being used for dilatory purposes. In light of the above, Plaintiff's
19 counsel prays that this honorable Court grant a continuance of this hearing on July 15, 2010.

20 Respectfully submitted this 13th day of July, 2010.
21

22 /s/Elias Z. Shamieh

23 _____
ELIAS Z. SHAMIEH

24 Attorney for Plaintiff
25
26

ORDER

Pursuant to this Unopposed Motion to Dismiss Hearing and for the reasons stated therein, IT IS HEREBY ORDERED that the July 15, 2010 hearing be continued until July 29, 2010 @ 1:30 p.m.

IT IS SO ORDERED.

DATED: July 14, 2010.



RICHARD SEEBORG

UNITED STATES DISTRICT COURT JUDGE